

REMARKS

Claims 11, 12 and 15-24 are pending in the application. In the outstanding final office action all of the claims were rejected under Section 103 based on combinations of Hickey (4,974,633), Olsen (WO 02/064422A1) and Wobben (U.S. 6,729,846). Now, in view of the amendment to claim 22, the Examiner is respectfully requested to reconsider this rejection. It is submitted that the proposed amendment, which more fully and clearly distinguishes over the prior art, should not create any new issues which require further searching because similar subject matter was previously presented and examined, the difference being that claim 22 previously required that

"at least one of the mast, nacelle and rotor include ... recesses ..."

while the amendment now requires that both

"the mast and rotor each include ... recesses ..."

The prior art does not disclose a mast having the claimed recesses. Nor is there any teaching or suggestion for applying the claimed features to the mast of a wind power unit. As explained in the specification and as further recited in claim 24, the claimed recesses reduce the region of turbulent flow, resulting in less influence on any wind power machines positioned behind the unit. For all of these reasons it is submitted that claim 22 now fully distinguishes over the prior art.

Independent claim 11 is amended to recite features similar to those comporting with embodiments covered by claim 22 and described in the specification. That is, given the prior art condition wherein laminar flow transitions to turbulence about a point on a mast at which there is a maximum width, applicant teaches a

mast characterized by a transition point along the flow path wherein a flow portion ... is characterized by turbulent flow when travelling away from the transition point ... wherein the transition point is positioned relative to a second point on the mast coinciding with the maximum width ...

Consequently, the flow portion first passes along the second point before passing the transition point. According to numerous embodiments covered by this claim (as well as claim 22) the positioning of the transition point relative to the second point results from formation of recesses along the mast surface. Thus claim 11 is directed to similar subject matter defined in claim 22 but applicant has chosen different language to capture such subject matter.

The Examiner is respectfully requested to enter this amendment and reconsider the rejections in view of the distinctions now presented. Allowance is requested.

Conclusion

For the above reasons it is submitted that the application is now in condition for allowance.

The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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